

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number  
P.C. 8/28/02 Item: 4.b.

File Number  
PDC 01-11-100

Application Type  
Planned Development Rezoning

Council District  
3

Planning Area  
Central

Assessor's Parcel Number(s)  
259-32-020, -021, -022, -023, -025, -026, -077, -080

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: John Davidson

Location: West side of San Pedro Street, approximately 130 feet north of W. Saint James Street.

Gross Acreage: 0.77

Net Acreage: 0.77

Net Density: 161 DU/AC

Existing Zoning: CG Commercial

Existing Use: vacant

Proposed Zoning: A(PD) Planned  
Development

Proposed Use: up to 124 attached dwelling units

### GENERAL PLAN

Completed by: JED

Land Use/Transportation Diagram Designation  
Downtown Core

Project Conformance:  
☒ Yes ☐ No  
☒ See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

Completed by: JED

North: Parking lot, Julian Street

CG General Commercial

East: Office

CO General Commercial

South: Parking lot

CG General Commercial

West: Pellier Park

CG General Commercial

### ENVIRONMENTAL STATUS

Completed by: JED

☒ Environmental Impact Report certified 4/27/99  
☐ Negative Declaration circulated on  
☐ Negative Declaration adopted on

☐ Exempt  
☐ Environmental Review Incomplete

### FILE HISTORY

Completed by: JED

Annexation Title: Original City

Date: March 27, 1850

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval  
☐ Approval with Conditions  
☐ Denial

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
☐ Action  
☒ Recommendation

### APPLICANT/OWNER

Barry Swenson Builder  
675 North First Street, 5<sup>th</sup> Floor  
San Jose, CA 95112

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**PUBLIC AGENCY COMMENTS RECEIVED**

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Completed by: JED

**Department of Public Works**

See attached memo

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**Other Departments and Agencies**

See attached memos from Fire Department, Police Department, Environmental Services Department and Airports Department.

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**GENERAL CORRESPONDENCE**

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None

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant is proposing a Planned Development Rezoning to allow up to 124 attached residential units in a tower up to 175 feet in height on a 0.77 gross acre site located on the west side of San Pedro Street, approximately 130 feet north of W. Saint James Street. The initial project proposed 109 units, but has since been revised to increase the number of units to 124. The building shell and height remain unchanged, while an additional floor of units has been added by slightly decreasing the floor to ceiling heights.

The existing use on the subject site is surface parking. The subject site is located within the Downtown Core, and is in an area consisting of a mixture of high-rises, historic residential structures, and surface parking. Surface parking abuts the subject site to the north and south, the underdeveloped Pellier Park is located to the west, and office uses are located to the east.

The project location in the Downtown Core is close to jobs, shopping, and transit. The project is two blocks away from the Saint James Street station of the First Street light rail line, which is a part of the Guadalupe Transit-Oriented Development Corridor. The Guadalupe Corridor is the first light rail transit line completed in the County. It consists of 20 miles of rail and a series of stations extending from Tasman Drive in the North San Jose/Santa Clara industrial area south along North First Street to the Downtown transit mall continuing south along Highways 87 and 85 to its southernmost stations located at the intersection of Coleman Avenue and Winfield Boulevard. The Guadalupe Corridor is part of a multi-modal transportation system that combines light rail with a freeway and incorporates bicycle lanes along portions of its right-of-way.

The project site is an irregularly shaped parcel generally bounded by San Pedro Street, W. Saint James Street, W. Julian Street, and the future reinstitution of Devine Street. The site jogs around the parcel at the northwest corner of San Pedro and W. Saint James Streets, where the Abel Rental building, a two story Italianate Victorian built in 1875 is located. The Abel Rental building, which is listed on the City's historic Resources Inventory, will not be affected by this proposal.

The project consists of a basement parking level; three floors, including the ground floor, split between parking and residential uses; and twelve stories of exclusively residential uses. Loft units will run along the ground level of San Pedro Street, and community rooms will be placed along W. Saint James Street, in order to provide a pleasing environment for passing pedestrians. The parking areas, which extend to the north and west edges of the building will be screened from adjacent parcels by the building walls. The character of the building will be residential in nature, with balconies, recessed divided-light windows, and a peaked roof form. In keeping with the urban setting, balconies on the northern edge of the building will be cantilevered over the future Devine Street.

The project site is within the downtown core, which is within the permitting jurisdiction of the Redevelopment Agency (RDA). If this rezoning is approved, the applicant would process their application for a Planned Development Permit through the RDA, which would be approved by the Executive Director of the Redevelopment Agency at a Redevelopment Agency Director's Hearing. Planning staff has coordinated review of the Planned Development Zoning with Redevelopment Agency staff.

### **ENVIRONMENTAL REVIEW**

This project is covered at a programmatic level by the Downtown Strategy EIR, approved by the City Council on April 27, 1999, which is EIR Resolution #68839. Project specific impacts to traffic and aviation were analyzed in addition to the more general analysis done as a part of the Downtown Strategy EIR.

The traffic analysis performed was focused on intersections immediately surrounding the site and also included a Level-of-Service analysis and operations analysis. The Level-of-Service analysis quantifies the impacts of new traffic to the operation of existing intersections. The traffic analysis found that all of the surrounding intersections would continue to operate at acceptable levels and the project would be in conformance with the Level-of-Service Policy.

The operations analysis helps to determine if there is adequate queuing space for vehicles at signalized intersections. The results indicate that there will be no turn lane at a signalized intersection where more than a 60-foot queue is projected, and therefore the existing queuing space is adequate.

Project-specific impacts to aviation were also analyzed, because the subject site is underneath the flight path of San Jose International Airport. The Federal Aviation Administration (FAA) has reviewed the project and approved a building up to 175 feet in height. The City Airports Department has also reviewed the project, and will be requiring an aviation easement as a condition of the Planned Development Permit.

### **GENERAL PLAN CONFORMANCE**

The project is consistent with the San Jose 2020 General Plan Land Use/Transportation Diagram designation of Downtown Core. This designation allows for a variety of uses in keeping with the vibrant, diverse natures of downtown urban environments. The General plan States that, "The long-term success of the downtown depends on the availability of diverse housing to meet community needs. Residential high-rise development at high densities is encouraged in the downtown wherever possible."

General Plan Urban Design Height Policy allows a maximum building height restricted only by FAA aviation requirements in the downtown core. The applicant has obtained FAA clearance for the proposed building height of 175 feet, and therefore the height is consistent with this policy.

The project is also consistent with several General Plan Major Strategies, such as Downtown Revitalization, Growth Management, Housing, and Sustainable City, in that the project makes efficient use of an existing urban infill site by providing high density housing near light rail transit, major transportation corridor and jobs. Additionally, high density infill housing is an integral component of the Downtown Revitalization Strategy.

## **ANALYSIS**

The primary project issues include conformance with Council Policy 6-24, Evaluation Criteria for High Density Housing near Rail Transit, and the Residential Design Guidelines.

**Council Policy 6-24 Conformance.** Staff believes the project conforms to the Policy (attached) as described in more detail below.

Site Location. Per the Policy, the project is located within walking distance (two blocks) of the transit stop at North First and E. Saint James Streets. The project, located within the Downtown Core does not share any interfaces with existing single-family development. The project will not displace viable non-residential uses important to the City's broader economic interests. The project capitalizes on existing infrastructure, services, and amenities present within the downtown core, making efficient use of existing roads, transit facilities, and shopping. The project will contribute park fees that will be used to develop additional facilities within the neighborhood.

Relationship to Historic Structures. Adjacent to the Abel Rental building, a two story Italianate Victorian built in 1875. The Abel Rental building will not be affected by this proposal.

Relationship to Surrounding Properties. The proposed project will relate well to existing buildings within the Downtown Core. The most problematic relationship is between the historic Abel Rental building and the proposed high rise. The design of the proposed high-rise does create a separation between the new and the old by placing the entry drive at the property line. In addition, the shorter element of the proposed building, which contains parking and loft units is placed along the longer San Pedro Street frontage and is the same height as the existing historic building.

On-site Project Requirements. Per the policy, the project is being developed at the highest density possible consistent with City criteria, and includes a strong transit orientation. Parking will be provided per the Zoning Code, and useable private open space will be provided for residents.

**Residential Design Guidelines Conformance.** Staff believes the project conforms to the relevant standards for high-density residential development. Along the two street frontages, the project features a strong pedestrian orientation, with wide sidewalks, prominent building entries, and ground floor living units directly accessible from the sidewalk along San Pedro Street, and community rooms along W. Saint James Street. Building setbacks are minimal in keeping with pattern of high-rises in the Downtown Core. The majority of units feature private open spaces in the form of balconies. Parking is placed within the project, and is either shielded by the ground floor units or the building facade. The conceptual elevations indicate a tower design with a well-established building base, midsection, and articulated roof form. Details will be finalized at the PD Permit stage.

**Conclusion.** The project presents an opportunity for a transit-oriented development project that will reduce traffic congestion and air pollution. The proposed high density housing takes advantage of the Downtown Core and the light rail line, and in turn reinforces the viability of the Downtown Core and the light rail line by placing residents in a position to realistically use them. It also a pioneering effort at high-rise residential construction, a new form of development in San Jose that incorporates smart growth principles in the appropriate setting of the Downtown Core.

## **COMMUNITY OUTREACH**

A public hearing notice for the project was published in a local newspaper and mailed to all property owners and tenants within 1,000 feet of the subject site.

## **RECOMMENDATION**

Planning staff recommends the Planning Commission forward a recommendation of approval and the City Council adopt an ordinance rezoning the subject site for the following reasons:

1. The proposed rezoning conforms to the subject site's General Plan Land Use Diagram Designation of Downtown Core.
2. The proposed project will further the goals and policies of the General Plan's Housing Strategy by providing high-density infill housing in close proximity to transit and commercial/retail opportunities.
3. The project conforms to Council Policy 6-24, Evaluation Criteria for High Density Housing near Rail Transit
4. The proposed project conforms to the applicable Residential Design Guidelines.

C: Christy Paul, Barry Swenson Builder, 675 North First Street, 5<sup>th</sup> Floor, San Jose, CA 95112  
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